

DUTY STATEMENT

CDCR INSTITUTION OR DEPARTMENT California Correctional Health Care Services		POSITION NUMBER (Agency – Unit – Class – Serial) 042-060-5795-XXX				
UNIT NAME AND CITY LOCATED CCHCS Office of Legal Affairs – Elk Grove		CLASSIFICATION TITLE Attorney III				
		WORKING TITLE Attorney III				
		COI Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	WORK WEEK GROUP SE	CBID R02	TENURE P	TIME BASE FT
SCHEDULE (WORKING DAYS AND WORKING HOURS) 8 a.m. to 5 p.m. (Approximate only for FLSA exempt classifications)		SPECIFIC LOCATION ASSIGNED TO 8280 Longleaf Drive, Elk Grove CA				
INCUMBENT (If known)		EFFECTIVE DATE				
YOU ARE A VALUED MEMBER OF THE CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES' (CCHCS) TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO ENABLE CCHCS TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND INGENUITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY, AND WITH RESPECT ARE CRITICAL TO THE SUCCESS OF CCHCS' MISSION.						
PRIMARY DOMAIN:						
Under general direction of the Chief Counsel, the Attorney III serves as advisor to, and representative for the Receiver appointed by the United States District Court in the case of Plata v. Newsom regarding inmate claims, health care operations, and other legal matters. Duties are typically characterized by assignments involving litigation before state and federal courts of a high degree of sensitivity and difficulty, and advice and representation regarding broad or specialized areas of law pertaining to the powers, functions, obligations, operations of the federal court's receivership, including: the development and implementation of a valid, new and sustainable system that provides constitutionally-adequate healthcare to inmates housed inside and outside California; and the development, review, and interpretation of legislation, rules and regulations necessary for the transformation and operation of the California prison medical system .						
% of time performing duties	Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. (Use addition sheet if necessary)					
ESSENTIAL FUNCTIONS						
60%	Provides counsel regarding conflict of interest laws, including financial conflicts of interest (Government Code section 87100, et seq.), Government Code section 1090, Public Contract Code section 10410, public reporting of financial interests (Government Code sections 87200-87313), incompatible activities (Government Code section 19990), post-governmental employment prohibitions (Government Code section 87400, et seq.), and common law principles. Provides guidance to executive staff and supervisors regarding employees' incompatible activity statements.					
15%	Litigates cases in administrative forums, including the State Personnel Board, with broad discretion; develops and implements legal strategies and tactics; makes appearances on behalf of CCHCS before tribunals, travel and take depositions and attend settlement proceedings, facilitates the disposition of matters brought before administrative forums, state courts and federal courts, including the negotiation of favorable settlements or other dispute resolution processes, and prepares written briefs and other documents in employment matters. Prepares and/or approves filings, briefs, points and authorities and other documents prepared in connection with litigation					

	<p>pertaining to the powers, duties and authority of CCHCS. Responds to any new factual or legal matters that may arise during the course of litigation. Provide case management and oversight of critical worker's compensation matters. Act as a liaison to litigation counsel representing the CCHCS in both workers' compensation (WC) or employment law matters, including State Compensation Insurance Fund (SCIF) and the Office of Attorney General (OAG). Collaborate and strategize with litigation counsel regarding the legal defense of the CCHCS in WC and employment law matters. Provide advice and legal counsel and act as a liaison to various CCHCS divisions and programs regarding WC claims and WC law and employment law matters, monitors the quality of SCIF and OAG services; makes and communicates case management, legal and policy decisions to SCIF and OAG on behalf of CCHCS. Makes appearances on behalf of CCHCS in court-ordered settlement proceedings and other dispute resolution processes. Coordinates in-house post litigation activity on behalf of CCHCS.</p>
10%	<p>Provides oral and written advice to CCHCS divisions on legal matters pertaining generally to its powers, functions, obligations, operations and transactions, and in particular, human resources issues. Provide training to various the CDCR staff regarding WC law and concepts and human resources/employment issues. Review, analyze and prepare legal responses and objections to subpoenas, court orders and public records act requests involving WC information or employment or labor claims on behalf of the CCHCS. Provides advice to CCHCS regarding California's laws and regulations regarding a wide variety of matters, including but not limited to, health care operations and employment and labor law. Reviews, analyzes, revise and make recommendations regarding legislation, rules, regulations, policies and procedures. Responds to legal correspondence and provides oral and written legal advice and legal expertise in complex and sensitive matters related to employee specific cases, including resolving employee medical issues, WC, return to work issues, and requests for reasonable accommodations. Confer with and/or correspond with clinical and administrative staff, outside counsel and members of the public as necessary.</p>
10%	<p>Provides legal advice during the investigation of various matters, including staff integrity and/or dishonesty, abuse of authority, discrimination, sexual misconduct, serious allegations made against supervisors, and complex high profile matters pertaining to the delivery of health care in California's 34 adult institutions.</p>
5%	<p>Performs other related duties as required, including in-state travel.</p>
	<p>KNOWLEDGE AND ABILITIES</p> <p><i>Knowledge of:</i> Legal principles and their application; legal research methods; court procedures; rules of evidence and procedure; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; provisions of laws and Government Code sections administered or enforced.</p> <p><i>Ability to:</i> Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.</p> <p>DESIRABLE QUALIFICATIONS</p> <p>Knowledge of laws related to employment law, worker's compensation, Americans with Disabilities Act (ADA), consent, public records, conflict of interest; and, other state laws, regulations and policies bearing upon the Receiver's duties. Experience litigating cases in state and federal court;</p>

	<p>and in such administrative forums as the State Personnel Board, Office of Administrative Hearings, Department of Personnel Administration and Public Employment Relations Board.</p> <p>Experience and ability to work in an unsupervised setting, and provide advice and suggest solution to program staff in a short timeframe.</p> <p>SPECIAL PHYSICAL CHARACTERISTICS Must be able to work long and arduous hours.</p>	
SUPERVISOR'S STATEMENT: <i>I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE</i>		
SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE
EMPLOYEE'S STATEMENT: <i>I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT</i>		
<p>The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.</p>		
EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE	DATE